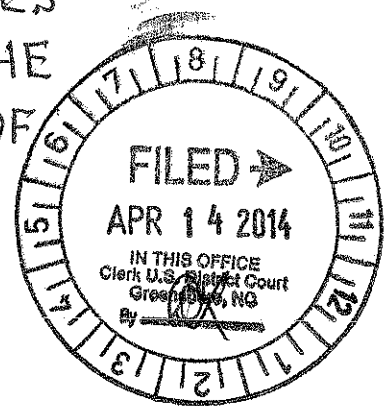


April 10, 2014

IN THE UNITED STATES
DISTRICT COURT FOR THE
MIDDLE DISTRICT OF
NORTH CAROLINA
No. 13 - cv - 552

ROGER LEE DEAL, SR
0704751
SCOTLAND CORR. INST.
P.O. BOX 1808
MCGIRT BRIDGE HWY.
LAURINBURG, NC 28353-1808



ROGER LEE DEAL, SR.
Plaintiff

v.

SERGEANT O'NEILL et al
Defendants

MOTION FOR
SUMMARY JUDGMENT
F.R.C.P. Rule 56(F)

Now comes the plaintiff Roger Lee Deal Sr.
to request summary Judgment as to Rule 56(F)
that his complaint and Summons has been served
and that it has been over 21 days with No Answer
That the plaintiff is in sever pain and needs
a doctor ASAP and request a Preliminary Injunction
that this is life threaten and to wait any long could
cause irrevesisable damage and that

- (1) You are likely to show at trial defendants violated my rights
- (2) You are likely to suffer irreparable harm
- (3) The threat you face is greather than the harm to prison
officials will face
- (4) A preliminary injunction will serve the public interest

Feb. 16th 2014

Middle District of N.C.
Clerk's Office U.S. District Court
Greensboro, N.C. P.O. Box 2708
27402 RE Deal vs. O'Neal 13:CV-552

Dear Court Clerk's Office

Please inform the Judge that plaintiff has
sever the defendant's by U.S. mail and it has been
way over 21 days and the plaintiff is here with the
defendant's so he know that they recieve them.
and still know answer was file.

Plaintiff ask for ENTRY OF DEFAULT pursuant to
Federal Rules of Civil Procedure 55(a) also a DEFAULT
JUDGMENT.

This the 16th of Febuary 2014

Roger Lee Deal Sr

Inmate No. 0704751

Scotland Correctional

P.O. Box 1808

Laurinburg, N.C.

28353

STATE OF NORTH CAROLINA

COUNTY OF Scotland

AFFIDAVIT

I, Christopher Vaughan, being competent to testify, having first-hand knowledge of the facts stated below, and being duly sworn, depose and say:

On 06/10/13 at around 11:40 am I saw Sargent O'Neill and Officer Oxindin been the arm up high that were handcuff of Inmate Roger Lee Deal then slam his face into the wall, then I heard that they also slam him down on the concrete floor a few sec later busting his chin up and have had to get stitches. Mr Deal does not bother any one, but spend time helping other inmates stay out of trouble and help them when they get hurt. He and Travies had his head busted open and no one even comes when they get hurt in the block these Officer are just like the Warden at Central Prison and the Officer and Alexander who were charge.

There are 0 additional pages attached and made a part of this, my affidavit. (Sign at the bottom of each page.)

Signature

Address

Christopher Vaughan
Scotland Correctional
PO Box 1308 Laurinburg, N.C.
28353

Sworn and subscribed before me this
4 day of April, 2014.

Notary Public

My commission expires: _____

Nov. 28, 2013

In the United States District Court Page 1 of 2
For the MIDDLE DISTRICT OF NORTH CAROLINA

Roger Lee Deal Sr et al
Plaintiff

V.

SARGENT O'NEILL et al

Case No. 1:13CV552

DECLARATION FOR ENTRY OF DEFAULT

Roger Lee Deal, hereby declares, I am the plaintiff herein. The complaint herein was filed on the 10 day of June, 2013.

The court files and record herein show that the Defendants were served by the United States with a copy of summons, and copy of plaintiff's complaint. For the date served the _____ day of _____ 2013.

More than 20 days have elapsed since the date on which the Defendants herein were served with summons, and a copy of Plaintiff complaint excluding date thereof.